

MIROSLAW NATANEK

Strasbourg and Schengen as a positive place of memory of European integration

The European integration process, which was initiated in the late 1940s, should be without a doubt considered a lesson drawn by European leaders after World War II. This is even a more unprecedented event, if we take into account the fact that today, it is difficult to state any facts and events that would unambiguously have negative connotations for the integrating countries.

The history of European integration, although abundant of course, in setbacks, examples of conflicting interests and failed projects¹⁷¹, nonetheless carries over a fundamental advantage and benefit, of which it is difficult to argue against for even the loudest opponents of today's European Union. This project, the first in history, which led to lasting peace on the continent and to the developing such far-reaching economic and later political ties, that finally Carl von Clausewitz's famous maxim that „war is merely the continuation of policy by other means”¹⁷², became no longer applicable. In short, the desire to eliminate war as a way of resolving conflicts has become a guiding principle of foreign policy of European states in their mutual relations, and thus Europe (or at least its western part) became the first time in its history, a politically stable region. Moreover, all major decisions were for many years (and actually are today) made through unanimous consensus, and incorporated during multiple meetings and negotiations of leaders from various countries. This of course, raises problems with the ongoing long procedures and decision-making mechanisms, but on the other hand, once that decision is made it has a good chance of full implementation, and is not exposed to dangers of being sabotaged by a country outvoted and dissatisfied. European integration is therefore a project that evokes rather positive emotions, and

¹⁷¹ For example: the collapse of the European Political Community and European Defense Community, the peripatetic of Great Britain associated with the joining of the European Economic Community, the politics of „empty chair” led by the French President Charles de Gaulle, an unsuccessful attempt at the so called Constitutional Treaty and many others.

¹⁷² See i.e.: R. Kuźniar: *Polityka i siła. Studia strategiczne – zarys problematyki*, 2nd ed., Warszawa: Academic Publisher Scholar 2006, p. 50.

it is a project that led to a long period of economic development of the countries of Western Europe and „exports” at least part of that prosperity, to the post-socialist countries. The best example of this evidence in any case is public opinion polls in Poland, which continue for many years to show very strong support not only for the Polish presence in the EU, but also for the integration process itself. For example, in April 2014 the Poles’ support for membership of our country in the EU amounted to a record 89%¹⁷³. The only real exception in this overall positive perception of the European Union in our country, is the citizens’ attitudes to the proper introduction of the common European currency¹⁷⁴. One could for a long while enumerate events and places important from the point of view of the idea of European integration. Such events and places will be different for the economists, and again different for the political scientists. However, if – as demonstrated by scientific studies – for the new Member States (including Poland), the EU is mainly associated with funds streaming down to them from the EU, then so much for „old Europe” what is important is the symbolism of the whole integration process and its ideological foundation¹⁷⁵. So if we relate directly to the title of this text, is therefore the author’s belief that we can find at least a few places with such historical – symbolic significance. Two of them deserve a special attention and are known even less to people well versed in the subject.

Without a doubt, that such a positive place of memory should be firstly considered the city of Strasbourg. There’s at least a couple of reasons. Firstly, it is the capital of Alsace; a region, which in its history has been the subject of disputes between France and Germany, a region that has repeatedly passed „from hand to hand”, and because of its location had frequently been exposed to the havoc of war-related rivalry of these two competing superpowers. Today, Strasbourg is largely a symbol of success of bilateral policies of both countries and the Franco – German reconciliation, the source of which is the so-called Élysée Treaty, signed by Chancellor Konrad Adenauer and President Charles de Gaulle in 1963¹⁷⁶.

¹⁷³ 10 lat of Polish membership in the European Union, CBOS – Research document, no. 52/2014, April, Warszawa, Table 1, p. 6.

¹⁷⁴ See i.e.: M. Natanek, *Marazm czy wykorzystana szansa? Społeczności lokalne wobec działań samorządów lokalnych w warunkach członkostwa Polski w UE i decentralizacji kraju*, „Politeja”, no. 1(33)/2015, Kraków: Publisher WSMiP UJ 2015, p. 51-54.

¹⁷⁵ On this subject, see more: K. Kowalski, *Europa: mity, modele, symbole*, Kraków: International Cultural Centre 2002, p. 99 – 200.

¹⁷⁶ AMAE, Doc. O.N.U., vol. 821, p. 323 „1963 ; 60”. See: W.J. Szczepański, *Charles de Gaulle i Europa*, Warszawa: BNW 2001, p. 175-177 i 187-190; A. Pazik, *Między pragmatyzmem a idealizmem. Polityka europejska gen. Charles’a de Gaulle’a w latach 1958 – 1969*, Toruń: Wydawnictwo Adam Marszałek 2012, p. 127 – 152.

The Élysée Treaty, or the Treaty of Friendship, was signed in Paris on January 22, 1963.

In 1963, Élysée Treaty does not have the incorporating character, which would become over time. Undoubtedly, it stands as the culmination of many years of efforts towards the rapprochement between the two societies, and above all, the political will expressed by de Gaulle and Adenauer. At the same time, however, it is also the result of the current circumstances and interests. (...) In a joint declaration to the Treaty, Adenauer and de Gaulle highlight the fact that Franco-German reconciliation is a „historical event which profoundly alter relations between the two nations.” The declaration also says that „strengthening cooperation between the two countries is a necessary step on the road to a united Europe, which is the goal of both nations.” The Treaty solidifies the organization of cooperation of the Franco-German frontier, notably the obligation of regular political consultations. It includes a program on three areas: foreign affairs, defense, education and youth. It does not address the economic or cultural contacts, because these subjects were included in previous bilateral or European agreements.

Source: *50 years Elysée Treaty. Germany and France. Half a century of friendship and cooperation*,

http://dombretanii.pl/styrony/do_druku/aktualnosci/2013/08/002-01.pdf

See: S. Parzymies, the Franco-German „motor” of European integration. 50 years under the rule of the Elysée Treaty, „Homo Politicus. Yearbook of political science,” vol. 7-8/2012-2013, University of Humanities and Economics in Łódź, p. 19-32.

A special mention should be made that this initial idea of European integration was imagined by the former UK Prime Minister Winston Churchill, who shortly after the end of World War II in his famous Zurich speech on 19 September 1946 called for a reconciliation of these peoples¹⁷⁷: „I am now going to say something that will astonish you. The first step in the re-creation of the European family must be a partnership between France and Germany. In this way only, can France recover the moral leadership of Europe. There can be no revival of Europe without spiritually great France and spiritually great Germany”¹⁷⁸. Secondly, the direct result of Winston Churchill at the University of Zurich was the organization of the Congress of The Hague, which was instrumental in the creation in 1949 of the Council of Europe; the first international organization created after World War II, aimed at strengthening political, economic and cultural cooperation between European countries based in Strasbourg¹⁷⁹. It’s hard to describe here almost seven decades of the activities of the Council of Europe itself. Just to mention, however, that at this time through its forum, 216 European conventions (and protocols) affecting almost all areas of life of Europeans were passed, ratified and respected by States, thus becoming somewhat common law¹⁸⁰. What interest us here is one of the great achievements of the Council

¹⁷⁷ Microfiche: *Winston Churchill’s speech Zurich University 19 September 1946*, Doc. X/6075/61-E.

¹⁷⁸ A. Basak, T. Marczak, *Wybór tekstów źródłowych do historii powszechnej po II wojnie światowej*, t. 1. 1945-1955, part 1, Wrocław: Wydawnictwo Uniwersytetu Wrocławskiego 1992, p. 110.

¹⁷⁹ See: *Statut du Conseil de l’Europe*, CETS No 001, art. 11. London 1949 or M. Natanek, *Historia integracji europejskiej*, Warszawa: The Ministry of Foreign Affairs RP 2013, p. 12– 17.

¹⁸⁰ Council of Europe Treaty Office, <http://www.coe.int/en/web/conventions/full-list> (accessed: 15.10.2015).

of Europe at the beginning of its activity, which was the adoption of the European Convention on Human Rights and Fundamental Freedoms (1950) as an international agreement of the Member States relating to the protection of civil rights¹⁸¹.

The governments, as signatories to this Convention, the members of the Council of Europe, Considering the Universal Declaration of Human Rights, adopted on 10 December 1948. by the General Assembly of the United Nations;

Considering that this Declaration aims to ensure universal and effective application of its rights;

Considering that the aim of the Council of Europe is to achieve greater unity between its members and that one way of achieving this goal is the protection and realization of human rights and fundamental freedoms;

Reaffirming their profound belief in those fundamental freedoms which are the foundation of justice and peace in the world and whose behavior is based mainly on the one hand, a democratic political system, on the other - on a uniform understanding and mutual respect for human rights to which they refer;

Resolved, as the European governments, acting in the same spirit and possessing a common heritage of political traditions, ideals, freedom and the rule of law, to take the first steps for the collective enforcement of certain rights listed in the Universal Declaration.

Source: *Convention for the Protection of Human Rights and Fundamental Freedoms* signed in Rome on 4 November 1950, amended by a subsequent Protocols Nos 3, 5 and 8 and supplemented with Protocol No 2 (Dz. U. of 10 July 1993).

Today, its effectiveness remains beyond dispute, but the system of human rights protection in Europe would not be effective without further steps related to the implementation of its provisions and the possibility of enforcing them. Therefore, the first act established the Human Rights Commission (worked in the years 1955-1999) alongside the Council of Europe, and the next step was the establishment in 1959 of the European Court of Human Rights.

In 1959, the European Court of Human Rights was established in Strasbourg, which currently is the only international court to which everyone has access to upon fulfilling certain conditions stipulated by the Convention. The right of complaint is the most important element of this system and allows both individuals, groups of individuals and international organizations (ie. Individual complaints), as well as the States - Parties to the Convention (ie. interstate complaints) to assert their rights and freedoms guaranteed in the Convention. The Court recognizing the specific allegations made by the victims have formulated common principles and standards in the sphere of human rights which the State - Parties shall ensure the unit in all conditions.

Source: <https://bip.ms.gov.pl/pl/prawa-czlowieka/europejski-trybunal-praw-czlowieka/o-trybunale/>

¹⁸¹ *Convention for the Protection of Human Rights and Fundamental Freedoms*, CETS no. 005, Rome 1950.

This authority had to rule in matters of compliance by the Member States of the Council with regards to our basic rights. Needless to say, that the seat of both the Commission and the Court since the inception is also in Strasbourg¹⁸².

Thirdly, it is worth bearing in mind that at the turn of 1952 and 1953, during the work on the deepening of the integration process and the establishment of the European Defense Community and the European Political Community, negotiations on those documents was held in the city – a the headquarters of the Council of Europe¹⁸³.

European Political Community - the proposal submitted by Robert Schuman on July 1, 1952 and adopted on May 9, 1953. Its purpose was the protection of human rights, defense and foreign policy, and economic issues.

Finally, the governments of the European Coal and Steel Community decided that Strasbourg will also serve as temporary headquarters of all institutions formed in the subsequent Communities¹⁸⁴.

CONSIDERING that world peace can be achieved only through creative efforts to measure the dangers that threaten it; CONVINCED that for the sake of peaceful relations is necessary to contribute to civilization that can make Europe organized and vital; AWARE of the fact that such an Europe can be built only through concrete actions posing real solidarity and assuming a common foundation for economic development; WISHING to contribute through the development of the basic branches of production to raise the standard of living and the progress of on action towards peace; DETERMINED to replace the historic rivalry of nations by combining their essential interests; Establish - creating an economic community, the basis for a broad and independent unity of the peoples for centuries separated by bloody conflicts, and establish the foundations of institutions able to drive from then on their common fate; HAVE DECIDED to create the European Coal and Steel Community.

Article 2: The purpose of the European Coal and Steel Community, in accordance with the evolution of the overall economies of the Member States, is to contribute to the economic development, increase employment and raise living standards in those States by creating a common market (...). The Community should constantly create conditions that would ensure the most rational distribution of products at the highest level of productivity, while safeguarding continuity of employment and avoiding fundamental and persistent disturbances in the economies of the Member States.

Source: *The Treaty establishing the European Coal and Steel Community*.

Although both of these projects have fallen due to the lack of ratification of treaties by the French National Assembly, however, the effect of these decisions is the

¹⁸² *Règlement interieur de la Comission Européenne des Droits de l'Homme*, le 2 IV 1955, art. 22, p. 66 as well as *Règlement de la Cour Européenne des Droits de l'Homme*, le 18.09. 1959, art. 15, p. 11.

¹⁸³ *Information and official documents of the Constitutional Committee*, October 1952 - April 1953. Secretariat of the Constitutional Committee, Paris 1953, p. 9-18.

¹⁸⁴ *Draft Treaty embodying the Statute of the European Community*, art.100.

fact that in the capital of Alsace, except for the aforementioned Council of Europe, is one of the seats of the European Parliament, and it is in Strasbourg that its Plenary sessions are held today.

For decades of the integration process and the development of so-called common policy, regional policy has gained great importance in the EEC (later the EU). Regions therefore, have not only become a major beneficiary of funds, but at the same time their political relevance has increased. The best proof of this was the establishment of the Committee of the Regions, by the Treaty of Maastricht (1992) as a subsidiary organ of the then emerging EU. Back in the 1950s, a similar body was created as part of the internal structure of the Council of Europe (Conference of Local and Regional Authorities).

Committee of the Regions is the EU advisory body composed of elected local and regional representatives from all 28 Member States. Through the Committee of the Regions. Members have the opportunity to exchange views on EU legal acts that have a direct impact on regions and cities.
Source: http://europa.eu/about-eu/institutions-bodies/cor/index_pl.htm

A new perspective and direction of development of European integration presented the Treaty on European Union. The document was signed on February 7, 1992 in Maastricht, and came into force in 1993, constituting a formal basis for the European Union. Major decisions contained in the Maastricht Treaty are set out in three pillars. The first pillar expanding the existing functions of the European Communities, the second pillar deals with foreign policy and security, and the third pillar deals with Internal politics and justice.

Source: W. Gizicki *European security in selected EU documents*, ZNZE UITM, no. 2/2009 (10), p. 92.

The political significance of local authorities was also reflected in the carried out in European countries decentralization reforms, (for example in Italy and Spain). In this context it is not surprising that politicians at regional level decided to create a own organization, whose mission would be the political representation of the interests of local and regional authorities in Europe; an organization that would strengthen the voice of the regions, not only in relation to the Community institutions, but also in relation to national governments. Finally, in 1985, the Assembly of European Regions was founded, whose headquarters, for obvious reasons are also located in Strasbourg¹⁸⁵.

¹⁸⁵ See: M. Natanek, *Zgromadzenie Regionów Europejskich jako polityczna reprezentacja władz samorządowych Europy*, [in:] *Problemy i dylematy rozwoju Unii Europejskiej*, ed. H. Tendra-Właszczuk, Katowice: Śląska Wyższa Szkoła Zarządzania im. gen. Jerzego Ziętka w Katowicach 2007, p. 30 – 42.

The Assembly of European Regions was created in 1985 to strengthen the voice and position of the regions of Europe. Since then, the organization has achieved considerable success leading to the implementation of regional reform in many European countries and raised the profile of the regions in European decision-making process.

Source: <http://newaer.eu/the-history-of-aer/>.

It is therefore difficult at this point to recall the words of Georges Bidault, the then Chairman of the Special Council of Ministers of the European Coal and Steel Community, which on enactment of the so-called Statute of the European Political Community stated:

We have undertaken to make a Europe. We could have wished it to be bounded by the frontiers of geography. Here in Strasbourg we have accepted a Europe bounded by the frontiers of freedom. At this moment though we do not feel that these boundaries can endure we are making a beginning at the frontiers of free will.

Far be it from us to wish to build this Europe for herself alone. Europe is not a thing apart; Europe exists to serve the world. On the banks of the Rhine below the spire of the Strasbourg Minster, an age-old tradition proves to us that our present endeavor is the prolongation and expansion of the experience of centuries¹⁸⁶.

These words perhaps best illustrate the significance and symbolism of the French-German border region for the European integration process; the symbolism of the Rhine River as the river separating the two countries and eventually the importance of Strasbourg as a city - a symbol of friendship. Sami and its people refer to them as the „capital of Europe” and Euro-metropolis¹⁸⁷.

So if we want to define the capital of Alsace as a positive place of memory, it is primarily because the city is a symbol of a united continent, a continent without war. That's why here the headquarters of the Council of Europe, the European Court of Human Rights, the Assembly of European Regions and the European Parliament are located. Here too, the Federal Republic of Germany „meets” with France, and here the culture of these two nations mutually penetrate each other.

The second - without a doubt - positive place of memory in Europe is Schengen in Luxembourg. Today, in times of the migration crisis related to the many conflicts in the Middle East, the word raises a arises extreme emotions. The significance and symbolism of the place however, is illustrated by the European responses to the closure of the Hungarian border with Croatia and Serbia, and in particular Angela Merkel's government's decision to temporarily introduce border controls in Germany and Austria. So what is Schengen? Contrary to appearances, this is not just a place, it is also an idea, the idea of a Europe without borders.

¹⁸⁶ Speech by G. Bidault from 9 III 1953 in Strasbourg. See: *Information and official documents of the Constitutional Committee, October 1952 - April 1953*. Doc 11, p. 155.

¹⁸⁷ <http://www.strasbourg.eu/fr/fonctionnement-ville-cus/communaute-urbaine-strasbourg> (accessed: 10.10.2015).

The city of Schengen is obviously associated with the agreement between the States of Benelux Economic Union (UEB), France and Germany on the gradual abolition of checks at the internal borders between the five countries, signed on 14th of June 1985¹⁸⁸. But we must remember that it was not only nor the beginning, nor the end of the sequence of events that resulted in what today is called the Schengen process.

On 3 February 1958 In The Hague (Netherlands) the Treaty (Treaty of the Hague, the Benelux Treaty was signed), under which the Benelux Economic Union (pl. Benelux Economische Unie, fr. Union Economique Benelux) was created. The Hague Treaty came into force on 1 November 1960 , and was to last 50 years. The official languages of cooperation within the Benelux Economic Union was selected: Dutch and French. In the preamble of the Treaty of the Hague the main objectives of the Union were listed, which include: - Free movement of people, goods, capital and services, - Coordination of economic policy, financial and social, - Common policy on foreign trade.

Source: A. Zygierewicz, *Cooperation in the Benelux countries, the Chancellery of the Senate, the Office of Research, Faculty of Social and Economic Analysis*, September 2005 1149, p. 2; http://biurose.sejm.gov.pl/teksty_pdf_05/i-1149.pdf

It must be pointed out that it is no accident that the agreement was jointly signed by the three Benelux countries. This was due to the fact that in this particular area Belgium, Netherlands and Luxembourg already acting together (as arising Benelux Economic Union) have already made great progress, and were the first countries on the European continent who have decided to stop border controls between each other. Even before the entry into force of the founding of UEB, April 11, 1960 in Brussels a convention was signed transferring the physical controls on the external borders of the Economic Union countries¹⁸⁹. After briefly ongoing ratification process (all three parliaments have accepted this agreement in one day - June 30, 1960) the Convention entered into force on July 1st. In the same year, the decision of the Committee of Ministers of UEB also set up specialized bodies (working group and the special committee), whose task was the technical implementation of the provisions of the Convention¹⁹⁰. Thus, these three countries for many years had outstripped the European Communities, not only for the actual implementation of the freedoms of the common European market (especially freedom of movement of persons), but also gained in this respect invaluable experience. Over the next 25 implementations of the Convention, the acquis of the Benelux countries in this area was systematically supplemented with protocols and subsequent deci-

¹⁸⁸ EU Official Journal, L 239, 22/09/2000 P. 0013 – 0018.

¹⁸⁹ *Convention entre le Royaume de Belgique, le Grand-duché de Luxembourg et le Royaume des Pays-bas, concernant le transfert du contrôle des personnes vers les frontières extérieures du territoire du Benelux*, see: http://www.benelux.int/files/7213/9230/2794/19600411_BUITEN-GRENZEN_FR.pdf (accessed: 17.10.2015).

¹⁹⁰ *Décision du Comité de Ministres de l'Union économique Benelux instituant un groupe de travail et une commission spéciale en vue de l'exécution de la convention concernant le transfert du contrôle des personnes vers les frontières extérieures du Benelux*, Doc. UEB M_1960_13 z 03.11.1960. See also: Doc. UEB M_1965_11.

sions of the Committee of Ministers concerning the improvement of border procedures, customs facilities or joint cross-border projects¹⁹¹. As in many previous cases, the actions of the Benelux Economic Union were a kind of testing ground and an attempt to extend the idea of free movement within the countries of the Communities.

Despite this example, we had to wait almost a quarter of a century for similar decisions to be undertaken by other Member States. Shortly before signing the Schengen Treaty, such a step was finally taken by France and the Federal Republic of Germany, who on July 13, 1984 in Saarbrücken signed an intergovernmental agreement on the gradual abolition of checks at common borders between states¹⁹².

The Schengen area and cooperation based on the layout of the Schengen from 1985. The Schengen area is the territory in which freedom of movement is guaranteed. States signatory to the agreement decided to abolish the internal borders for a single external border. Under this situation, the issue of short-stay visas, asylum and border controls. common rules and procedures apply. At the same time, in order to ensure security in the Schengen area, cooperation and coordination between the police and judicial authorities is paramount. Operation of Schengen cooperation was incorporated into the Union (EU) legal framework under the Treaty of Amsterdam in 1997. However, not all countries co-operating within the framework of the system are parties to the Schengen area. This happens for two reasons: either these countries do not wish to eliminate border controls, or do not fulfill the necessary conditions for the application of the Schengen acquis.

Source: <http://eur-lex.europa.eu/legal-content/PL/TXT/?uri=URISERV:l33020>

Recalling this agreement, it is worth paying attention to two issues. First, both governments would probably procrastinate longer with the signing of the agreement, were it not for the fact that, to take such steps, they were actually required by EEC Council Directive from December 1, 1983 concerning facilities for physical controls and abolishing administrative formalities for the transportation of goods between Member States of the Communities, as well as Declaration of the European Council Summit in Fontainebleau, which took place on 25-26 of June 1984. Later however, the Council strengthened its position of the Communities in this regard with a resolution on the facilitation of the crossing of internal borders of the Communities by nationals of Member States¹⁹³. Secondly, it should be noted that in this case the two governments decided to introduce symbolic elements in their mutual relations as a place for the signing of an agreement – the city of Saarbrücken and capital of the industrialized border

¹⁹¹ I.e. *Protocole relatif à la suppression des contrôles et formalités aux frontières intérieures du Benelux et à la suppression des entraves à la libre circulation*, Doc. UEB M_1969_06.

¹⁹² *Accord entre le gouvernement de la République française et le gouvernement de la République fédérale d'Allemagne relatif à la suppression graduelle des contrôles à la frontière*, AMAE, Doc O.N.U., vol. 1401, p.167 1984; 39.

¹⁹³ *EC Council Directive 83/643/CEE*, EC Official Journal L 359, 22/12/1983 P. 0008 – 0011 as well as *Rezolucja Rady 84/C 159/01*, EC Official Journal C 159, vol. 27, 19.06.1984. It is based upon the authority of these two documents that special lanes for citizens of the Communities became available at the border crossings (highways, sea and airports).

region which, though ethnically German, after both world wars was managed by the French, either on behalf of the League of Nations (after World War I for 15 years), or as areas directly occupied by the French army (after World War II until 1955).

As a result, prior to the signing of the Schengen, in the Communities we had two independent areas of abolishing of border barriers within the European Economic Community. One is the internal borders within the framework of the Benelux Economic Union, the second is the Franco-German border. Pentalateral negotiations on the text of the agreement began on the February 27 in Brussels, and - as already mentioned - the same agreement was signed on June 14, 1985 in the town of Schengen in the section called „Drai-Länder-Eck” on board the cruise ship „Marie-Astrid” on Moseli river; in a place where the borders of the Netherlands, France and Germany conjoin¹⁹⁴. Thus only this agreement as a whole closes the first phase of the abolition of borders in integrating Europe, and is also a practical implementation of Council Directive as already cited.

The Schengen Agreement was an agreement covering the many complex technical issues related to the ability to freely cross internal borders of a State, and shared the process of implementing its provisions in two stages. In the short term (provisions were to enter into force on the first of January 1986), the State consented to, inter alia: facilitate small border traffic, the so-called visual inspection without having to stop vehicles and persons, freedom of places to cross the border, cooperation in the issuing of visas or customs cooperation in the fight against drug trafficking. In the longer term (provisions were to enter into force on the first of January 1990) the parties decided to, inter alia: the transfer of tighter checks at external borders, to strengthen police and judicial cooperation, as well as the harmonization of laws to combat the illicit trafficking in arms and explosives, or raise the tariff concessions for citizens.

From the point of view of what interests us here, it should be added that the city of Schengen once again become a symbolic place in the context of continuing the abolition of internal borders controls in EEC. On June 19, 1990, in fact is when the signing of two important documents in this matter takes place. The five signatory countries of the Schengen agreement signed on that day the Convention implementing the Agreement, and at the same time for the entire project through a special protocol Italy finally joins in¹⁹⁵.

As already mentioned, the signing of the agreement in 1985 was only the beginning of yet still ongoing so-called Schengen process, which results in the fact that today the area without border controls covers up to 22 EU Member States and four non-EU countries (Norway, Iceland, Switzerland and Liechtenstein)¹⁹⁶. Reactions to

¹⁹⁴ Speech by the State Secretary. Foreign Grand Duchy of Luxembourg by Robert Goebbels of 14 June 1985, *Grand-Duché de Luxembourg; Ministère d'Etat, Bulletin de documentation GDL*, no. 4/1985, p. 32.

¹⁹⁵ AMAE, Doc. TRA19900118 oraz AMAE, Doc. TRA19900357.

¹⁹⁶ Other 6 EU Member States: Great Britain, Ireland, Cyprus, Bulgaria, Romania, and Croatia for various reasons are not members of Schengen area. See http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/index_en.htm, accessed: 17.12.2015

the migration crisis in Europe and the reintroduction of controls at national borders, which – according to the agreement may be placed temporarily in emergency situations security and public order – in this context they are both symptomatic and threatening at the same time. One must remember that in the European Union, we already have to deal with the second generation of people (third, in the case of citizens of Benelux), who do not know of border controls, for which it is their absence is most visible and most obvious symbol of the unity of the continent. Older citizens of five countries signatories of the Schengen Agreement can therefore nostalgically remember the times thirty years ago, when in order to facilitate the customs services of the so-called visual inspection (without having to stop at the border) when behind an automotive windshield, one had to put a green shield with a minimum diameter of 8 cm¹⁹⁷.

This symbolic and unknown to most of us green shield is a measure of success in building a Europe without dividing lines; a stable and secure Europe. Despite this, after all, national borders still exist in the physical and political sense, and recent event quickly reminded us of this.

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¹⁹⁷ EU Official Journal L 239 , 22/09/2000 P. 0013 – 0018, Art. 3.

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